

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

BRIAN MELONSON §
VS. § CIVIL ACTION NO. 1:22-CV-565
ZENA STEPHENS, ET AL. §

ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Brian Melonson, a prisoner previously confined at the Jefferson County Correctional Facility (JCCF), proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Zena Stephens, the JCCF Infirmary Department, Kim King, T. Theriot, and the Director of Correctional Health.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge recommends dismissing the claims against the JCCF Infirmary Department and Zena Stephens pursuant to 28 U.S.C. § 1915(e) as frivolous and for failure to state a claim upon which relief may be granted.

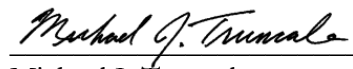
The Court has received and considered the Report and Recommendation of United States Magistrate Judge, filed pursuant to such order, along with the record and the pleadings. Plaintiff filed objections to the Report and Recommendation.

The Court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration of all the pleadings and the relevant case law, the Court concludes the objections are without merit.

ORDER

Accordingly, Plaintiff's objections [Dkt. 14] are OVERRULED. The findings of fact and the conclusions of law of the magistrate judge are correct, and the report and recommendation of the magistrate judge [Dkt. 13] is ADOPTED. Defendants JCCF Infirmary Department and Zena Stephens are DISMISSED from this action.

SIGNED this 26th day of November, 2024.

A handwritten signature in black ink, reading "Michael J. Truncala", is positioned above a horizontal line.

Michael J. Truncala
United States District Judge